

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:)	Bankruptcy No. 18-20241-JAD
Diane E. Liberatore,)	
)	Chapter 7
<u>Debtor.</u>)	
Diane E. Liberatore,)	
)	Related to Document No. 70
Movant,)	
v.)	Hearing Date and Time:
)	
Pennsylvania Housing)	
Finance Agency,)	
)	
Respondent.)	

INTERIM MORTGAGE MODIFICATION ORDER

On August 20, 2018, the above-named Debtor(s) and Respondent PHH Mortgage ("Creditor") entered into a trial modification (the "Trial Modification"), through the Court's *Loss Mitigation Program* (LMP), with respect to the first mortgage on the Debtor's residence. The terms of the Trial Modification require monthly payments in the amount of \$670.00 ("Trial Payments") to begin on **October 1, 2018** and to continue in that amount until **December 1, 2018** (the "Trial Modification Period"). In light of the need for an immediate change in the distribution to the Creditor, the Debtor(s) request the Court to enter this *Interim Mortgage Modification Order* until a final, permanent modification can be presented to the Court for approval.

AND NOW, this 11th day of September, 2018, for the foregoing reasons it is hereby **ORDERED, ADJUDGED and DECREED** that:

(1) The Chapter 13 Trustee is authorized and directed to modify the distributions to the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the

Amount of \$670.00 for the following months: October, November and December. Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court.

(2) In the event that a Permanent Modification is reached between the Parties, the Debtor *immediately* shall file a *Motion to Authorize the Loan Modification* in compliance with *W.P.A.LBR 9020-6(d)*.

(3) The LMP Period is extended until fourteen (14) days after the expiration of the Trial Modification Period. If the Debtor has not filed a *Motion to Authorize the Loan Modification* within fourteen (14) days after the expiration of the Trial Modification Period, then the Debtor shall *immediately* file and serve either a *Motion to Extend the Loss Modification Period* pursuant to *W.P.A.LBR 9020-5(b)* or a *Motion to Terminate the Loss Modification Program* pursuant to *W.P.A.LBR 9020-5(c)* that sets forth the specific reasons why an agreement was not reached.

(4) Any Party may seek a further hearing regarding the amendment or termination of this *Order* at any time during the Trial Modification Period by filing an appropriate Motion.

(5) Within three (3) days of entry of this *Order*, Debtor shall serve this *Order* electronically on the Chapter 13 Trustee at the following email address: LMP@chapter13trusteewdpa.com and Debtor shall not be entitled to rely on CM/ECF or United States Mail for service of this *Order* on the Chapter 13 Trustee. The Debtor(s) Certificate of Service shall reflect service upon the above identified email address.

 9-11-2018
UNITED STATES BANKRUPTCY JUDGE
Jeffery A. Deller

Case administrator to serve:
Debtor(s)
Counsel for Debtor(s)
[Counsel for Creditor]
Ronda J. Winnecour, Esq. Ch 13 Trustee
Eric E. Bononi, Chapter 7 Trustee

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Diane E. Liberatore
Debtor

Case No. 18-20241-JAD
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-2

User: bsil
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 11, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2018.

db +Diane E. Liberatore, 545 11th Avenue, New Brighton, PA 15066-1442

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 13, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 11, 2018 at the address(es) listed below:

Amy L. Zema on behalf of Debtor Diane E. Liberatore amy@zemalawoffice.com
Brett A. Solomon on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services bsolomon@tuckerlaw.com,
agilbert@tuckerlaw.com;cabbott@tuckerlaw.com;dparanay@tuckerlaw.com
Eric E. Bononi bankruptcy@bononilaw.com, pa69@ecfcbis.com
James Warmbrodt on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION, as Indenture Trustee, for the FBR Securitization Trust 2005-2 Callable Mortgage-Backed Notes, Series 2005-2 bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com, DMcKay@bernsteinlaw.com
Leon P. Haller on behalf of Creditor Pennsylvania Housing Finance Agency lhaller@pkh.com, dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

TOTAL: 7